

February 3, 2009

TO: Teresa Parsons  
Director's Review Program Supervisor

FROM: Kristie Wilson  
Director's Review Investigator

SUBJECT: Keith Ross v. Eastern Washington University  
Allocation Review Request ALLO-07-104

On October 7, 2008, I conducted a Director's review by a telephone conference call concerning the allocation of Keith Ross's position. Present during the telephone conference were Keith Ross, EWU; Kerry Pease, Director of Sports and Recreation; Electra Jubon, WFSE; Mark Schuller, EWU Human Resources; and myself.

### **Director's Determination**

This position review was based on the work performed for the six-month period prior to July 11, 2007 the date Mr. Ross requested reallocation of his position. As the Director's investigator, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review conference, and the verbal comments provided by both parties. Based on my review and analysis of Mr. Ross's assigned duties and responsibilities, I conclude his position should be reallocated to Recreation and Athletics Specialist 3 classification.

### **Background**

On July 11, 2007, Mr. Ross submitted a reallocation request letter (Exhibit A-4) to EWU HR Office requesting that his position be allocated to a Recreation and Athletics Specialist 4 (RAS 4). Mr. Schuller reviewed his request and issued his decision by letter dated October 1, 2007 (Exhibit A-5). In his letter Mr. Schuller outlined the reasons and basis for his denial. On October 31, 2007, Mr. Ross filed a request for a Director's review.

### **Summary of Mr. Ross's Perspective**

Mr. Ross asserts he is responsible for supervising a full-time classified employee as well as a large staff of approximately 15 student employees. Mr. Ross is in bargaining unit 2 which is a supervisory unit. These duties include:

- Interview and recommends selection of applicants.
- Train new employees.
- Assign and schedule work.
- Act upon leave requests.
- Conduct annual performance evaluations.
- Recommend disciplinary action.
- Manage payroll for students.
- Grievances

Mr. Ross states that he acts as an assistant director with responsibilities related to the operation of the total programs occurring within the Sports and Recreation Center facilities. Mr. Ross states that he is second in command as the point of contact and decision maker related to issues of building operation and program management.

Mr. Ross asserts that he is the facility manager representing the Sports and Recreation Center and the University during sponsored events. While in this role, Mr. Ross performs the following duties:

- Crowd management – ensure safe and positive experience.
- Coordinate and provide facility resources to ensure the success of the event.
- Assist athletics in the technical, operational, and customer service capacity.
- Responsible for risk management.

Mr. Ross states that he fills in for Director of the Sports and Recreation Center in his absence and is often called on to represent him at University meetings and in making operational decisions.

Mr. Ross explained that he also assists in pool management issues including facility prep, setup, event management of swim meets, publicity and promotion of pool activities, and pool maintenance. Mr. Ross explained that he performs these duties in the Pool Manager's absence.

Mr. Ross and his supervisor, Kerry Pease, agree that his position falls within the RAS class series but feels he is performing at the higher level. Both believe the RAS 4 job classification best describes the work assigned to his position.

### **Summary of EWU's Reasoning**

EWU agrees that Mr. Ross does supervisor a RAS 1 and numerous students. EWU asserts that the RAS series is appropriate but their concern is the Department of Personnel definition of each level. EWU feels that the 3 and 4 levels have total control of a recreation program or major segment. EWU feels that Mr. Ross's duties are more of a facility support position, not running an entire program.

EWU agrees with Mr. Ross and states that Mr. Ross is instrumental in keeping the facility up and running. EWU asserts that Mr. Ross's supervisor, Kerry Pease, has managerial responsibilities and the authority to delegate those responsibilities to Mr. Ross so that he can oversee other parts of the program.

EWU asserts that they looked at the job specifications for the RAS series and felt that although Mr. Ross does supervise one employee and several students he does not manage a total recreation program for a facility having a large sports/recreation program. EWU stated that they have one RAS 4 position and that person is the Pool Manager which manages a total recreation program. EWU believes that Mr. Ross handles more of the facility management and does not manage an actual program.

### **Rationale for Director's Determination**

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

The definition for Recreation and Athletics Specialist 4 states:

Plans, organizes, and manages a total recreation program for an institution/facility having a large sports/recreation program; or in a hospital or Division of Developmental Disabilities residential facility provides consultation to unit recreation leaders, directs cross-unit recreational activities. Supervises recreational coordinators and staff or other assigned staff in a sports/recreational program system with such components as intramural and extramural revenue/non revenue-producing sports programs; and is responsible for quality control of institution/facility recreational services.

Although Mr. Ross does supervise employees, he does not manage a total recreation program having a large sports/recreation program. Mr. Ross acts as a facility manager of a facility not a program. I feel that Mr. Ross's duties as explained in Exhibit A-3, do not fall under the duties intended for the RAS 4 job classification.

Most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. See Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

The definition for Recreation and Athletics Specialist 3 states:

Plans, organizes, and manages the total recreation program for an institution having a small recreation program; plans, organizes, and directs a major segment of the recreation program for an institution having a large program; or within a Division of Developmental Disabilities residential facility, serves as a member of the interdisciplinary/multidisciplinary team as the representative recreational therapist.

The duties and responsibilities assigned to Mr. Ross's position fit closer to the RAS 3 definition and typical work. While examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification. Both the RAS 3 and RAS 4 classes indicate that typical work includes training, supervising, and coordinating employees in recreation program. However, the RAS 4 class also indicates that employees perform the following typical work:

- Plan, organize, and direct the activities of the swimming pools
- Plan, organize, and promote an intramural aquatic program
- Enforce pool and safety regulations and administers first aid
- Maintain sanitary conditions in and around the pools and oversees the maintenance of pool equipment facilities
- Prepare reports on accidental injuries and pool operations
- Teach swimming and lifesaving classes and officiate at swim meets
- Develop budget requests for pool facility and activities

As indicated on the organizational chart (Exhibit 10-A), EWU has an RAS 4 position that is responsible for the Pool Management. Mr. Ross's duties related to planning, directing,

and organizing events in the Sports and Recreation Center more closely resemble responsibility for a major segment of a recreation program.

A position's allocation, however, is not based on an evaluation of performance or an individual's ability to perform higher-level work. Rather, it is based on the majority of work assigned to a position. In this case, the Recreation and Athletics Specialist 3 classification best describes the work assigned to Mr. Ross's position.

### **Appeal Rights**

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board . . . . Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

c:     Keith Ross  
       Electra Judon, WFSE  
       Mark Schuller, EWU  
       Lisa Skriletz, DOP

Enclosure: List of Exhibits